



GARY R. HERBERT  
Governor

GREGORY S. BELL  
Lieutenant Governor

# State of Utah

## DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER  
Executive Director

### Division of Oil, Gas and Mining

JOHN R. BAZA  
Division Director

March 18, 2013

Certified Return Receipt Requested  
7011 0110 0001 3568 0888

Brett Bryson  
Wasatch Mountain Excavating, Inc.  
905 North Main Street, Suite CE  
North Salt Lake City, Utah 84054

Subject: Division Directive to Provide Adequate Surety or Reclaim, Wasatch Mountain Excavating, Inc., Elite Rock West Mine, S/049/0050, Utah County, Utah

Dear Mr. Bryson:

There are several issues with the referenced mining operation that need your immediate attention. First, the reclamation surety has not been updated for several years, and is no longer adequate for the disturbance you have at the site. Part of the increase is due to increased reclamation costs since the amount was last looked at in 2005. Because there is greater disturbance than that proposed in the Notice of Intention to Commence Small Mining Operations (Notice), the \$2,000/acre previously used is not adequate. Based on current cost estimates, the Division needs a total of \$54,100 (see calculation below) for the ten acres of disturbance at this site.

Item	Qty	Unit Cost	Total Cost
1st Acre Disturbance	1	\$10,900.00	\$10,900.00
Add'l Acres Disturbance	9	\$4,800.00	\$43,200.00
TOTAL			\$54,100.00

Currently the Division holds \$20,000 in surety (in the Form of a certificate of deposit [CD]). Therefore an additional \$34,100 needs to be provided. This can be done by increasing the amount in the existing CD or by providing a new CD, a letter of credit, a surety bond, or cash for either the increased or the total amount. You are hereby directed to provide the additional surety amount by April 19, 2013.

Second, the civil penalty of \$484.00 for State Cessation Order MC-2007-01-16 issued November 1, 2007, and finalized January 12, 2008 has not been remitted. You are hereby directed to remit the \$484.00 for this civil penalty by April 19, 2013.

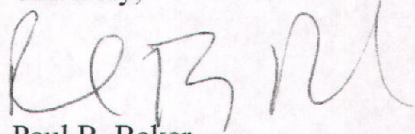
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Brett Bryson  
S/049/0050  
March 18, 2013

Finally, the annual permit fee for this operation has not been paid for several years. The total amount delinquent is \$1,300. You are hereby directed to remit the overdue permit fees by April 19, 2013.

Failure to meet the April 19, 2013 deadlines for resolving these issues may result in the Division taking additional enforcement actions, including, but not limited to, issuance of additional enforcement action and associated fines, and withdrawal of the Notice, an order to complete reclamation immediately.

If you have questions or concerns regarding this letter, please contact me at 801-538-5261 or Lynn Kunzler at 801-538-5310. Thank you for your prompt attention to these issues.

Sincerely,

A handwritten signature in dark ink, appearing to read 'P. B. Baker', written over a light blue horizontal line.

Paul B. Baker  
Minerals Program Manager

PBB:lk:pb

cc: Peggy Kelsey, Utah County ([peggyk@utahcounty.gov](mailto:peggyk@utahcounty.gov))

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